

M 30

GREAT BRITAIN, Statutes

~~25,873~~

ANNO REGNI
GEORGGII III.
REGIS

Magnæ Britanniae, Franciæ, & Hiberniæ,

VICESIMO TERTIO.

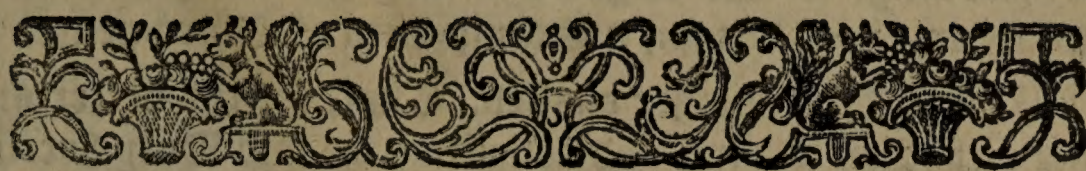
At the Parliament begun and holden at *Westminster*, the
Thirty-first Day of *October*, *Anno Domini* 1780, in the
Twenty-first Year of the Reign of our Sovereign Lord
GEORGE the Third, by the Grace of God, of *Great Bri-
tain, France, and Ireland*, King, Defender of the Faith, &c.

And from thence continued, by several Prorogations, to the Fifth
Day of *December*, 1782; being the Third Session of the Fifteenth
Parliament of *Great Britain*.



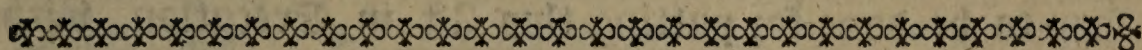
L O N D O N :

Printed by CHARLES EYRE and WILLIAM STRAHAN,
Printers to the King's most Excellent Majesty. 1783.



ANNO VICESIMO TERTIO

Georgii III. Regis.



C A P. LXVII.

An Act for granting to His Majesty a Stamp-duty on the Registry of Burials, Marriages, Births, and Christenings.

Most Gracious Sovereign,



WE, Your Majesty's most dutiful and loyal Subjects, the Commons of Great Britain, in Parliament assembled, towards raising such Supplies as are necessary to defray Your Majesty's publick Expences, do humbly present Your Majesty with the Grant of the new Duty herein-after mentioned; and do beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the first Day of October, One thousand seven hundred and eighty-three, there shall be charged, levied, and paid unto and for the Use of His Majesty, His Heirs and Successors, the new Duty following; (that is to say),

Preamble.

From Oct. 1, 1783, the following Duty to be paid to His Majesty; viz.

Upon the Entry of every Burial, Marriage, &c. 3d.

Upon the Entry of any Burial, Marriage, Birth, or Christening, in the Register of any Parish, Precinct, or Place in Great Britain, a Stamp-duty of Three-pence.

The Duty to be under the Management of the Commissioners of Stamps.

II. And be it further enacted, That, for the better and more effectual levying and collecting the said Duty herein-before granted, the same shall be under the Government, Care, and Management, of the Commissioners for the Time being appointed to manage the Duties charged on Stamped Uellum, Parchment, and Paper; who, or the major Part of them, are hereby required and empowered to appoint and employ such Officers under them for that Purpose, and to allow such Salaries and incidental Charges as may be necessary, and to provide and use such Stamps, to denote the said Duty, as shall be requisite in that Behalf; and to do all other Things necessary to be done for putting this Act in Execution, with relation to the said Duty herein-before granted, in the like and in as full and ample Manner as they, or the major Part of them, are or is authorized to put in Execution any former Law concerning Stamped Uellum, Parchment, and Paper.

Penalty on Parsons, &c. who shall enter any Burial, Marriage, &c. on unstamped Paper.

III. And be it further enacted, That every Parson, Vicar, or Curate, or other Person having Authority to make Entries of Burials, Marriages, Births, or Christenings, who shall, from and after the first Day of October, One thousand seven hundred and eighty-three, enter any Burial, Marriage, Birth, or Christening, in the Register for any Parish, Precinct, or Place, in Great Britain, before the Parchment, Uellum, or Paper, on which the Entry of such Register shall be made, shall have been duly stamped, as by this Act is directed, every such Parson, Vicar, Curate, or other Person, shall, for every such Offence, forfeit the Sum of Five Pounds.

Parsons, &c. empowered to demand 3d. from the Undertaker, or Persons married, &c.

IV. And be it further enacted, That every Parson, Vicar, Curate, or other Person having Authority to make the Entry of any Burial, Marriage, Birth, or Christening, is hereby vested with full Power and Authority, previous to the making thereof in the Register of any Parish, Precinct, or Place in Great Britain, to demand and receive from the Undertaker, or other Person employed in and about the Funeral of any Person so to be buried, or from the Parties married, or from the Parent of the Child whose Birth or Christening is registered, or other

other Person requiring the Christening of such Child, the Sum of Three-pence: And if such Undertaker, or other Person, so employed in and about such Funeral, or if the Parties so married, or the Parent of or other Person bringing the Child, whose Birth or Christening shall be so required to be registered, shall neglect or refuse, on Demand, to pay the said Duty, he, she, or they shall, for every such Offence, forfeit and pay the Sum of five Pounds.

and if they refuse to pay the same, they shall forfeit 5*l*.

V. And be it further enacted, That the Churchwardens and Overseers of every Parish, or One of them, shall, from Time to Time, as Occasion shall require, provide One or more Book or Books for the registering of Burials, Marriages, Births, and Christenings, with such Stamps for each Entry to be made therein, as by this Act is required; and shall pay for such Book or Books, and the Stamps to be contained therein, out of the Rates under their or his Management, and shall, from Time to Time, receive back the Money, which shall be so paid, from the Person authorized by this Act to demand and receive the Duty hereby imposed, on the Entry of any Burial, Marriage, Birth, or Christening; and in the Case of extraparochial Places, such Book or Books, with such Stamps as aforesaid, shall be provided, from Time to Time, by the Person whose Duty it shall be to make Entries of Burials, Marriages, Births, and Christenings.

Churchwardens, etc. to provide Books with proper Stamps for entering Burials, Marriages, etc.

VI. Provided always, and be it further enacted, That no Parson, Vicar, Curate, or other Person, shall be subject to any the Penalties or Forfeitures in this Act mentioned, for entering, or causing to be entered, any Burial, Marriage, Birth, or Christening, in any Parish Register, without any Marks or Stamps thereon, where a Licence, under the Hands of Three of the Commissioners for the Time being appointed to put this Act in Execution, or some Officer or Officers by them impowered, shall have been granted, signifying their or his Leave or Approbation that the Entry of any Burial, Marriage, Birth, or Christening, to be written in such Register, may be therein written without any Marks or Stamps thereon; so as the Person or Persons, having the Custody of such Register, do, from Time to Time, when and as often as he or they shall be thereto required, permit the said Commissioners, or any of them, or any Officer or Agent by them, or the major Part of them, for that Purpose ap-

Certain Cases in which Entry may be made without any Stamps.

pointed, to inspect and view such Register; and do also, from Time to Time, when and as often as he or they shall be thereto required by the said Commissioners, or the major Part of them, or any other by them, or the major Part of them, authorized, pay unto the Receiver General for the Time being of the said Duties, or such other Officer or Person as the said Commissioners, or the major Part of them, shall appoint to receive the same, all such Sum and Sums of Money which, according to the true Intent and Meaning of this Act, ought to be paid in respect of all and every such Entry and Entries as shall be written in such Register; any Thing herein contained to the contrary thereof notwithstanding.

Not to extend
to Burials, etc.
from any Hos-
pital, etc.:

VII. Provided also, and be it further enacted, That nothing herein contained shall extend to charge the Entry in any Parish Register of the Burial of any Person who shall be buried from any Workhouse or Hospital, or at the sole Expence of any Charity; nor the Entry in any Parish Register of the Birth or Christening of any Child whose Parents shall receive, at the Time of the Birth or Christening of such Child, any Parish Relief.

But to extend
to Quakers.

VIII. Provided always, and be it further enacted, That the Provisions of this Act, with respect to the Register of Births, Burials, and Marriages, shall extend to the People called Quakers; and that the Registers of Births, Burials, and Marriages, now kept by them, shall be subject and liable to the Stamp-duties hereby imposed upon the Registers of Births, Burials, Marriages, and Christenings; any Thing herein, or in any other Law, contained to the contrary notwithstanding.

An Allowance
of 2 s. in the
Pound to be
made to Par-
sons, etc. for
their Trouble.

IX. And be it further enacted, That the said Receiver-general of the Stamp-duties at the Head Office, and the Head Distributors of Stamped Aellum, Parchment, and Paper, or other Person or Persons duly appointed by the major Part of the said Commissioners of Stamp-duties to receive the Duty by this Act imposed, shall make an Allowance to every Parson, Vicar, Curate, or other Person receiving the said Duty, as a Recompence for his Trouble in accounting for the same, at and after the Rate of Two Shillings in the Pound, out of the Monies by them regularly accounted for, and paid to such Receiver-general or Head Distributor, or such other Person or Persons as aforesaid, according to the Directions herein-before contained.

X. And

X. And be it further enacted, That all Prosecutions for Recovery of the Duties hereby granted, as also for all Forfeitures and Offences made and committed against this Act, shall be heard and determined by any Justice of the Peace residing near to the Place where such Forfeiture shall be made or Offence committed; and if the Party finds himself aggrieved by the Judgement of any such Justice, he shall and may appeal to the Justices of the Peace at the next Quarter Sessions, who are hereby authorized and impowered to hear and determine the same, and their Judgement therein shall be final: And every such Justice is hereby authorized, and strictly enjoined and required, upon Complaint or Information exhibited and brought for any Forfeiture incurred, or Offence committed contrary to this Act, to summon the Party accused, and upon his Appearance, or Refusal or Neglect to appear, to proceed to the Examination of the Matter of Fact; and upon due Proof made thereof, either by the voluntary Confession of the Party, or by the Oath of One or more Witnesses or Witnesses, to give Judgement thereupon, and to award and issue out Warrants under his Hand for the levying such Forfeiture or Penalty upon the Goods and Chattels of the Offender; and to cause Sale to be made of the said Goods and Chattels, if they shall not be redeemed within Fourteen Days, rendering to the Party the Overplus, if any.

XI. Provided nevertheless, and be it further enacted, That it shall and may be lawful to and for the said Justice, where he shall see Cause, to mitigate or lessen any such Forfeiture or Penalty as he shall think fit, reasonable Costs to the Officers and Informers being always allowed over and above such Mitigation, and so that such Mitigation do not reduce the Penalties to less than a Moiety of the Penalties incurred, over and above the Costs.

XII. And it is hereby further enacted, That all Forfeitures and Penalties mentioned in this Act (all necessary Charges for the Recovery thereof being first deducted) shall be divided and distributed, One Moiety thereof to and for the Use of His Majesty, His Heirs and Successors, and the other Moiety to such Person and Persons who shall inform and sue for the same.

XIII. And be it further enacted, That no Person employed by virtue of this Act in receiving or accounting for the

Prosecutions for Recovery of Duties, etc. to be determined by a neighbouring Justice;

but Appeal may be made to the Quarter Sessions.

Not to extend to Duties, etc. from any other Act, which

Not to extend to Duties, etc. from any other Act, which

Justice may mitigate Penalties.

As Allowance of a sum to be made to the Informers, and for their Trouble

Distribution of Penalties.

Receivers of the Duties not disqualified as Voters.

the Duties hereby imposed, shall, merely in respect of this Act, be disqualified from voting at any Election or Elections of Members to serve in Parliament; any Law or Statute to the contrary thereof notwithstanding.

Duties to be paid to the Receiver-general of Stamp duties, and by him paid into the Exchequer.

XIV. And be it further enacted, That the Duties hereinbefore granted shall be paid from Time to Time into the Hands of the Receiver-general for the Time being of the Duties on Stamped Uellum, Parchment, and Paper, who shall keep a separate and distinct Account of the Duties, and pay the same (the necessary Charges of raising, paying, and accounting for the same, being deducted) into the Receipt of the Exchequer, at such Time, and in such Manner, as the Duties now charged on Stamped Uellum, Parchment, and Paper, are directed to be paid; and in the Office of the Auditor of the said Receipt, there shall be provided and kept a Book or Books, in which all the Monies arising from the said Duties, and paid into the said Receipt as aforesaid, shall be entered, separate and apart from all other Monies paid or payable to His Majesty, His Heirs or Successors, upon any Account whatsoever: And the said Money, so to be paid into the said Receipt of Exchequer as aforesaid, shall be a Fund for the Payment of the several Annuities, and all such other Charges and Expences, as are directed to be paid and payable pursuant to an Act of this present Session of Parliament, intituled, An Act for raising a certain Sum of Money by way of Annuities, and for establishing a Lottery.

Application thereof.

Persons sued in Execution of this Act, may plead the General Issue,

and shall be entitled to Treble Costs.

XV. And be it further enacted, That if any Person or Persons shall at any Time or Times be sued, molested, or prosecuted, for any Thing by him or them done or executed in pursuance of this Act, or of any Clause, Matter, or Thing, herein contained, such Person or Persons, and Bodies Politick or Corporate, shall or may plead the General Issue, and give the special Matter in Evidence for his or their Defence; and if upon the Trial a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs become nonsuited, then such Defendant or Defendants shall have Treble Costs awarded to him or them against such Plaintiff or Plaintiffs.

